EDDIE J. HAYNES,)
PLAINTIFF,)
VS.)CASE NO. 2:06-cv-1093-WKW
CITY OF MONTGOMERY, ALABAMA,)
DEFENDANT.)

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

Comes now the Plaintiff, Eddie J. Haynes, and informs the Court that counsel for the parties have met and have engaged in good faith settlement negotiations. A settlement was not reached. The parties do not believe mediation will assist them in resolving this case at this time. However, the parties wish to reassess whether mediation would be appropriate after the Court rules on the pending Motion for Summary Judgment.

> /s/ Gerald L. Miller GERALD L. MILLER (MIL039) Attorney for Plaintiff

OF COUNSEL:

REDDEN, MILLS & CLARK, LLP 505 North 20th Street 940 Financial Center Birmingham, Alabama 35203 (205) 322-0457

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of December, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Allison H. Highley Kimberly O. Fehl Assistant City Attorney City of Montgomery P.O. Box 1111 Montgomery, Alabama 36101-1111

/s/ Gerald L. Miller
OF COUNSEL